CLASSIFICATION OFFICE DECISION

Title of publication: Bdk031.mp4

Other known title(s): Not stated

OFLC ref: 1601002.001

Medium: Computer Moving Image File

Publisher: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: Secretary for Internal Affairs

Classification:	Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.

Excisions: No excisions recommended

Descriptive note: None

Display conditions: None

Date of entry in Register: 17 February 2017

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 17 February 2017

	Components	**Running time**
Timed component(s):	Bdk031.mp4	4:02
Total running time:		4:02

Summary of reasons for decision:

The publication is a short computer moving image file which explicitly depicts a young woman engaging in sexual activity. The Classification Office has considered whether the file promotes or supports, or tends to promote or support, the exploitation of young persons for sexual purposes in terms of s3(2)(a) of the Films, Videos, and Publications Classification Act 1993, and concluded that it does not. The subject has a youthful appearance; she could be a young person, but could equally be an adult. It is not possible to determine her age with confidence. The publication does however explicitly depict sexual activity. Such material is likely to adversely affect children and teenagers' development as they are still in the process of forming their attitudes toward sex and developing their

understanding of sexual behaviours. It is therefore restricted to adults. While this restriction limits the right to freedom of expression afforded by the New Zealand Bill of Rights Act 1990, it is considered reasonable and demonstrably justifiable in the interest of preventing likely injury to the public good.